



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of
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Raised Bill No. 6382
An Act Concerning Computer Crimes Against Children
Judiciary Committee Public Hearing
March 16, 2009

The Office of Chief Public Defender has concerns that more youth will be arrested if *Raised Bill No. 6382, An Act Concerning Computer Crimes Against Children* is adopted. Current law provides that teenagers will not be prosecuted if they engage in consensual sexual activity, including intercourse, if their age difference is 3 years or less. This office is aware of certain instances in which teens have been arrested for possession of child pornography as a result of exchanging photos with the very same person with whom he/she could have sexual intercourse and not be prosecuted. This result can be remedied if language as contained in *C.G.S. §53a-71, Sexual Assault in the second degree*, is inserted to exempt from prosecution persons within 3 years of each other who exchange such photographs with consent.